

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
AT CLARKSBURG**

REGENERON PHARMACEUTICALS, INC.,

Plaintiff,

v.

MYLAN PHARMACEUTICALS INC.,

Defendant.

Civil Action No. 1:22-cv-00061-TSK

DEFENDANT’S MOTION FOR HEARING TO BE CONDUCTED VIRTUALLY

Defendant Mylan Pharmaceuticals Inc. (“Mylan”) moves the Court to conduct the hearing on its Motion to Compel set for April 4, 2023 at 10:00 a.m. virtually. Mylan does not anticipate any new evidence or any witnesses being presented at the hearing. Counsel for Mylan is out of state and will have to fly in for the hearing the day prior in order to appear in person. In addition, the schedule in this matter is compressed and seven (7) expert depositions are occurring in the next two weeks, including one on April 4, 2023. Conducting the hearing virtually is equitable and avoids conflicts between hearing and deposition scheduling. Mylan believes that the issues before the Court can be fully presented virtually, as the legal issues are relatively narrow, and the number of documents subject to the motion is low. The parties have submitted all relevant documents with their respective briefs and motion papers. Accordingly, the time and expense of travel outweigh any potential benefit of appearing in person, given the travel time and distance involved. Moreover, after conferring with opposing counsel in advance of presenting this request, Regeneron authorized counsel to represent to the Court that, if Mylan made such a request, that Regeneron takes no position.

Accordingly, for the reasons set forth above, Mylan respectfully requests that the Court grant its unopposed motion and conduct the hearing virtually on April 4, 2023.

Respectfully submitted this 30th day of March 2023.

STEPTOE & JOHNSON PLLC

Counsel for Defendant Mylan Pharmaceuticals Inc.

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CERTIFICATE OF SERVICE

I certify that on the 30th day of March 2023, I filed the foregoing “Defendant’s Motion for Hearing to Be Conducted Virtually” using the Court’s CM/ECF system, which will send notice of the same to all counsel of record.

/s/ William J. O’Brien

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